

Agency 16

Attorney General

Articles

16-8. ROOFING CONTRACTORS.

16-11. PERSONAL AND FAMILY PROTECTION ACT.

16-12. BATTERER INTERVENTION PROGRAM REQUIREMENTS AND CERTIFICATION.

Article 8.—ROOFING CONTRACTORS

16-8-1. Definitions. For the purpose of the act and this article, each of the following terms shall have the meaning specified in this regulation:

(a) “Act” means Kansas roofing registration act.

(b) “Applicant” means a person applying for an initial registration certificate or the renewal or reinstatement of a registration certificate.

(c) “Conviction” shall include the following, whether the penalty has been imposed, reduced, or suspended, unless the conviction has been legally expunged:

(1) An unvacated adjudication of guilt;

(2) a plea of guilty or nolo contendere accepted by the court; and

(3) a deferred judgment, diversion, or probation agreement.

(d) “Direct supervision” means that the registered roofing contractor is overseeing the person being supervised and is physically present at the work site.

(e) “Roofing material” shall include cedar, cement, metal, and composition shingles; wood shakes; cement and clay tile; built-up roofing; single-ply roofing materials; fluid-type roofing systems; spray urethane foam; asphalt; protective or reflective materials; deck coatings; sheet metal; and tar.

(f) “Roofing services” shall include the following services on any type of roof:

(1) Installation or repair of any roofing material;

(2) installation or repair of roof sheathing;

(3) installation, application, or repair of roof dampproofing or weatherproofing, roof insulation panels, or other roof insulation systems, including work incidental to the installation or application;

(4) repair of structural damage to an existing roof-support system; and

(5) installation or repair of skylights.

(g) “Valid registration certificate” means a roof-

ing contractor registration certificate issued by the attorney general that has not been suspended or revoked. (Authorized by K.S.A. 2013 Supp. 50-6,124; implementing K.S.A. 2013 Supp. 50-6,122 and 50-6,124; effective, T-16-6-28-13, July 1, 2013; effective Oct. 25, 2013.)

16-8-2. Initial application. Each person seeking an initial registration certificate shall submit an application that includes the following:

(a) An initial application form provided by the attorney general and fully completed by the applicant;

(b)(1) If the applicant is a natural person, a copy of a current state or federal government-issued photographic identification that demonstrates that the applicant is at least 18 years old; or

(2) if the applicant is a business entity, a copy of a current state or federal government-issued photograph identification for each designated agent who will act as a roofing contractor for the entity that demonstrates that each designated agent is at least 18 years old;

(c) a copy of the applicant’s current and valid certificate of liability insurance in an amount of at least \$500,000 from an insurance company authorized by the Kansas insurance department to do business in Kansas or a nonadmitted insurer eligible to write excess coverage on Kansas risks as permitted by Kansas law;

(d) a copy of the applicant’s current and valid certificate of workers’ compensation insurance under the Kansas workers’ compensation act, an affidavit of exemption, or a copy of a valid self-insurance permit issued by the Kansas department of labor;

(e) a current and valid tax clearance certificate from the Kansas department of revenue;

(f) if the applicant is a nonresident contractor, a current and valid appointment of the Kansas

secretary of state as legal agent for service of process;

(g) payment of the initial registration certificate fee specified K.A.R. 16-8-6; and

(h) if the applicant holds or has held a registration, certificate, permit, or license as a roofing contractor issued by any other state, current and certified documentation from the appropriate state agency in each such state showing whether the applicant is in good standing, has pending disciplinary proceedings, or has had disciplinary action taken against the registration, certificate, permit, or license. (Authorized by K.S.A. 2013 Supp. 50-6,124; implementing K.S.A. 2013 50-6,125; effective, T-16-6-28-13, July 1, 2013; effective Oct. 25, 2013.)

16-8-3. Renewal application. Each person seeking renewal of a registration certificate shall submit a renewal application that includes the following:

(a) A renewal form provided by the attorney general and fully completed by the applicant;

(b) a copy of the applicant's current and valid certificate of liability insurance in an amount of at least \$500,000 from an insurance company authorized by the Kansas insurance department to do business in Kansas or a nonadmitted insurer eligible to write excess coverage on Kansas risks as permitted by Kansas law;

(c) a copy of the applicant's current and valid certificate of workers' compensation insurance under the Kansas workers' compensation act, an affidavit of exemption, or a copy of a valid self-insurance permit issued by the Kansas department of labor;

(d) a current and valid tax clearance certificate from the Kansas department of revenue;

(e) payment of the applicable fee or fees specified in K.A.R. 16-8-6; and

(f) if the applicant holds or has held a registration, certificate, permit, or license as a roofing contractor issued by any other state, current and certified documentation from the appropriate state agency in each such state showing whether applicant is in good standing, has pending disciplinary proceedings, or has had disciplinary action taken against the registration, certificate, permit, or license. (Authorized by K.S.A. 2013 Supp. 50-6,124; implementing K.S.A. 2013 Supp. 50-6,132; effective, T-16-6-28-13, July 1, 2013; effective Oct. 25, 2013.)

16-8-4. Suspension, revocation, and re-

instatement. (a) Any registration certificate may be revoked or suspended by the attorney general upon finding that the registered roofing contractor has violated any provision of the act or this article.

(b) Each roofing contractor seeking to reinstate a revoked registration certificate shall submit a reinstatement application that includes the following:

(1) A reinstatement application form provided by the attorney general and fully completed by the applicant;

(2) a copy of the applicant's current and valid certificate of liability insurance in an amount of at least \$500,000 from an insurance company authorized by the Kansas insurance department to do business in Kansas or a nonadmitted insurer eligible to write excess coverage on Kansas risks as permitted by Kansas law;

(3) a copy of the applicant's current and valid certificate of workers' compensation insurance under the Kansas workers' compensation act, an affidavit of exemption, or a copy of a current and valid self-insurance permit issued by the Kansas department of labor;

(4) a current and valid tax clearance certificate from the Kansas department of revenue;

(5) payment of the reinstatement fee specified in K.A.R. 16-8-6; and

(6) if the applicant holds or has held a registration, certificate, permit, or license as a roofing contractor issued by any other state, current and certified documentation from the appropriate state agency in each such state showing whether applicant is in good standing, has pending disciplinary proceedings, or has had disciplinary action taken against the registration, certificate, permit, or license.

(c) A reinstatement application shall not be submitted until all terms and conditions specified in the revocation order have been fulfilled.

(d) A roofing contractor shall not be required to apply for annual renewal while that roofing contractor's registration certificate is suspended.

(1) If the suspension is lifted in the same fiscal year as that in which the suspension was ordered, the roofing contractor shall pay the renewal fee for a suspended registration certificate specified in K.A.R. 16-8-6 at the time of the next renewal.

(2) If the suspension was ordered in a previous fiscal year, the suspension shall not be lifted until the roofing contractor submits an application for renewal in accordance with K.A.R. 16-8-3, accom-

panied by payment of the renewal fee for a suspended registration certificate specified in K.A.R. 16-8-6, and the attorney general approves the application. (Authorized by K.S.A. 2013 Supp. 50-6,124; implementing K.S.A. 2013 Supp. 50-6,132 and 50-6,133; effective, T-16-6-28-13, July 1, 2013; effective Oct. 25, 2013.)

16-8-5. Incomplete applications. (a) If an incomplete application for an initial registration certificate or for renewal or reinstatement of a registration certificate is submitted to the attorney general, the applicant may be notified by the attorney general that the application will be held in abeyance for 30 days. If the applicant fails to provide all missing information, documents, and fees within 30 days of this notification, the application shall be deemed abandoned, and all fees accompanying the application shall be retained by the attorney general and shall not be refunded to the applicant.

(b) The timeline specified in the act for issuance of a registration certificate shall not begin until the date on which a complete application is received in the office of the attorney general. (Authorized by K.S.A. 2013 Supp. 50-6,124; implementing K.S.A. 2013 Supp. 50-6,125, 50-6,130, and 50-6,132; effective, T-16-6-28-13, July 1, 2013; effective Oct. 25, 2013.)

16-8-6. Fees. (a) Each applicant shall pay the following fee or fees, as applicable:

- | | |
|---|-------|
| (1) Initial registration certificate | \$250 |
| (2) Renewal of a registration certificate | \$250 |
| (3) Renewal of a suspended registration certificate | \$500 |
| (4) Reinstatement of a revoked registration certificate | \$750 |
| (5) Late renewal fee | \$250 |
| (6) Change of name or address | \$25 |

(b) The renewal fee for a suspended registration certificate shall be paid at the time specified in K.A.R. 16-8-4.

(c) If a person submits a complete application for an initial registration certificate to the attorney general on or after January 1 and the attorney general issues the registration certificate on or before April 30 of that year, the applicant shall pay a prorated initial registration certificate fee of \$125 instead of the initial registration certificate fee specified in subsection (a). (Authorized by K.S.A. 2013 Supp. 50-6,124; implementing K.S.A. 2013 Supp. 50-6,128, 50-6,130, 50-6,131, and 50-6,132; effective,

T-16-6-28-13, July 1, 2013; effective Oct. 25, 2013.)

16-8-7. Status of registration. (a) If a registered roofing contractor ceases to be active as a roofing contractor, the roofing contractor shall notify the office of the attorney general within 10 days, and the roofing contractor's registration certificate shall be suspended by the attorney general pursuant to K.S.A. 2013 Supp. 50-6,131, and amendments thereto. This suspension shall not constitute a suspension for cause requiring payment of additional renewal fees. The suspended registration certificate shall be classified as "inactive." The roofing contractor shall not engage in business as a roofing contractor while that person's registration certificate is inactive. Any registration certificate may be returned to active status as follows:

(1) In the same fiscal year as that in which the registration certificate was initially classified as inactive, if the roofing contractor notifies the office of the attorney general at least 10 days before resuming business as a roofing contractor; or

(2) in a subsequent fiscal year, if the roofing contractor submits a complete renewal application to the office of the attorney general as specified in K.A.R. 16-8-3. However, the certificate shall not be deemed active until the renewal application is approved by the attorney general.

(b) If a roofing contractor's registration certificate is lost or stolen, the roofing contractor shall notify the office of the attorney general within 10 days after discovery of the fact.

(c) Each change in ownership of at least 50 percent of a business entity shall constitute a change in the legal status of the business requiring a new registration certificate pursuant to the act.

(d) If a registration certificate has been issued to a business entity for use by a group of designated roofing contractors and any designated roofing contractor in that group ceases to be an agent or employee of the entity, the entity shall notify the office of the attorney general within 10 days.

(e) Any business entity may designate new employees to act as roofing contractors under the entity's existing registration certificate by submitting an addendum to the entity's application, on a form provided by the attorney general, to the attorney general. (Authorized by K.S.A. 2013 Supp. 50-6,124; implementing K.S.A. 2013 Supp. 50-6,127

and 50-6,131; effective, T-16-6-28-13, July 1, 2013; effective Oct. 25, 2013.)

Article 11.—PERSONAL AND FAMILY PROTECTION ACT

16-11-1. Definitions. As used in this article and in the act, the following terms shall have the meanings specified in this regulation:

(a) “Act” means the personal and family protection act, K.S.A. 75-7c01 et seq. and amendments thereto.

(b) “Completed application” means a current application for a license to carry a concealed handgun, as required by the act, that meets the following requirements:

(1) Contains the following:

(A) All necessary signatures; and

(B) a legible and fully responsive reply to every question and request for information; and

(2) is accompanied by all required attachments.

(c) “Full frontal-view photograph” means a passport photograph or other color photograph that is equivalent to a passport photograph in the following respects:

(1) Fairly represents the physical appearance of the applicant’s head and shoulders;

(2) is taken with the applicant directly facing the camera; and

(3) shows the applicant’s head and shoulders in an area of the picture that is at least two inches square.

(d) “Intimate partner” means any of the following:

(1) The spouse of a licensee;

(2) a former spouse of a licensee;

(3) an individual who is a parent of a licensee’s child; or

(4) an individual who cohabitates or has cohabitated with a licensee.

(e) “Place of worship” means any building owned or leased by a religious organization and used primarily as a place for religious worship and other activities ordinarily conducted by a religious organization, whether that building is called a church, temple, mosque, synagogue, or chapel, or a similar name.

(f) “State office” means the interior of any of the following buildings:

(1) Those buildings named in K.S.A. 21-4218 and amendments thereto;

(2) the following buildings located in Topeka, Kansas:

(A) The memorial building, 120 SW 10th;

(B) the Forbes office building #740;

(C) the division of printing plant, 201 NW MacVicar;

(D) the state office building located at 3440 SE 10th Street;

(E) the Dillon house, 404 SW 9th Street;

(F) the Curtis state office building, 1000 SW Jackson; and

(G) the state office building located at 700 SW Harrison; and

(3) all other state-owned or state-leased buildings in which firearm possession is prohibited by posting as provided in K.A.R. 1-49-11. (Authorized by K.S.A. 2009 Supp. 75-7c16; implementing K.S.A. 2009 Supp. 75-7c05, as amended by L. 2010, Ch. 140, §5, 75-7c07, as amended by L. 2010, Ch. 140, §7, 75-7c10, as amended by L. 2010, Ch. 140, §9, and 75-7c16; effective, T-16-7-5-06, July 5, 2006; effective Nov. 27, 2006; amended Jan. 14, 2011.)

16-11-2. Instructor certification standards. (a) Each applicant for certification by the attorney general as an instructor of handgun safety and training courses shall apply on a form prescribed by the attorney general.

(b) Except as provided in subsection (e), each applicant shall meet all of the following requirements:

(1) Meet all of the concealed carry license requirements of K.S.A. 75-7c04(a) and amendments thereto, except for those requirements in paragraph (a)(1);

(2) except for individuals certified before the effective date of this regulation, complete an attorney general instructor orientation course within six months of certification; and

(3) agree to teach at least one class during each 12-month period commencing on the date of certification.

(c) In addition to meeting the requirements of subsection (b) and except as provided in subsection (h), each applicant shall meet one of the following certification requirements:

(1) Be currently certified as a firearms trainer or firearms instructor by any of the following organizations:

(A) The attorney general, pursuant to K.S.A. 75-7b21 and amendments thereto;

(B) any city, county, state, or federal law enforcement agency;

(C) the United States armed services;

(D) the Kansas law enforcement training center; or

(E) any organization that certifies firearms instructors, if the organization's certification program is determined by the attorney general to be substantially equivalent to any of the instructor certification programs identified in paragraph (c)(1); or

(2) be currently certified by the national rifle association in any of the following firearms instructor certification categories:

(A) "Pistol instructor";

(B) "personal protection instructor";

(C) "police firearms instructor";

(D) "law enforcement security firearms instructor";

(E) "law enforcement tactical handgun instructor"; or

(F) "law enforcement handgun/shotgun instructor."

Each applicant shall submit a copy of one of the certification documents identified in this subsection with the completed application form. Each certification document shall contain a certification expiration date.

(d) Each applicant shall pay a certification application fee in the amount of \$100.

(e) Each applicant who holds a license issued by the attorney general to carry a concealed handgun pursuant to the act shall be certified by the attorney general to instruct handgun safety and training courses if the applicant has satisfied the requirements of subsections (b) through (d).

(f) Any applicant who is currently certified as an instructor by the national rifle association to teach a handgun safety and training course described in K.S.A. 75-7c04(b)(1)(D)(ii), and amendments thereto, may be approved by the attorney general to instruct that course if a determination is made by the attorney general that the requirements for instructor certification established by the national rifle association meet or exceed the requirements of paragraph (b)(1) and subsection (c). Approval granted pursuant to this provision shall be conditioned upon the instructor's compliance with the requirements of K.A.R. 16-11-3.

(g) Subject to notice and an opportunity for a hearing, certification or approval may be withdrawn by the attorney general for either of the following reasons:

(1) Failure to comply with the eligibility requirements specified in subsection (b) or (c); or

(2) failure to remain in compliance with K.A.R. 16-11-3.

(h) Each law enforcement officer certified by the commission on peace officers' standards and training who was certified by the attorney general as an instructor of handgun safety and training on or before the effective date of this regulation shall be exempt from compliance with the certification requirement in subsection (c). (Authorized by and implementing K.S.A. 2009 Supp. 75-7c04, as amended by L. 2010, Ch. 140, §4, and 75-7c16; effective, T-16-7-5-06, July 5, 2006; effective Nov. 27, 2006; amended Jan. 14, 2011.)

16-11-3. Handgun safety and training course; instructors. (a) Each instructor certified by the attorney general, or approved by the attorney general pursuant to K.A.R. 16-11-2(f), to instruct handgun safety and training courses shall comply with the following standards:

(1) Use only the handgun safety and training courses approved by the attorney general as provided in K.A.R. 16-11-4;

(2) use only examinations approved by the attorney general; and

(3) require trainees to display firing proficiency by successfully completing the shooting requirement established in K.A.R. 16-11-4.

(b) Upon the conclusion of each handgun safety and training course, the instructor of that course shall provide each trainee who successfully completes the course with one of the following documents:

(1) An affidavit signed by the instructor that attests to the successful completion of the course by the applicant; or

(2) a certificate of completion on a form approved by the attorney general.

(c) Each instructor shall forward a list of each trainee who successfully completed a training course taught by that instructor to the office of the attorney general within 10 days of the date on which the training course concludes. Each list shall meet all of the following requirements:

(1) Identify the instructor by name and driver's license number;

(2) contain the date of the training course; and

(3) identify each trainee by name and by any state-issued identification card number specified in K.S.A. 75-7c03, and amendments thereto.

(d) For each course an instructor teaches, the instructor shall retain the following records for at

least five years from the date on which the course concludes:

(1) A record of the date, the time, and the location of the course;

(2) a record of the name of each trainee enrolled in the course and of each trainee's state-issued identification card number, as specified in K.S.A. 75-7c03 and amendments thereto;

(3) for each trainee, documentation showing whether the trainee completed the training course specified in K.A.R. 16-11-4; and

(4) a record of the examination results for each trainee, including the results of the firing proficiency test.

(e) Each instructor shall notify the attorney general, in writing, within 10 days of any of the following occurrences:

(1) Changes in the instructor's mailing address;

(2) the expiration, suspension, or revocation of the certification used to meet the certification standard in K.A.R. 16-11-2(c); and

(3) any other circumstance that would make the instructor ineligible for certification pursuant to the standards required in K.A.R. 16-11-2.

(f) If an instructor certified by the attorney general, or approved by the attorney general pursuant to K.A.R. 16-11-2(f), fails to comply with the requirements of this regulation, the instructor's certification or approval may be withdrawn by the attorney general upon notice and an opportunity for a hearing. (Authorized and implementing K.S.A. 2009 Supp. 75-7c04, as amended by L. 2010, Ch. 140, §4, and 75-7c16; effective, T-16-7-5-06, July 5, 2006; effective Nov. 27, 2006; amended Jan. 14, 2011.)

16-11-4. Handgun safety and training course. (a) Except as provided in K.S.A. 75-7c03(d) and amendments thereto and subsection (d) of this regulation, each applicant for a license to carry a concealed handgun shall successfully complete either of the following handgun safety and training courses that have been approved by the attorney general when taught by one or more instructors certified by the attorney general, or approved by the attorney general pursuant to K.A.R. 16-11-2(f):

(1) The attorney general's "concealed carry handgun license program lesson plan," dated July 1, 2006 and amended on October 19, 2006, which is hereby adopted by reference; or

(2) any handgun course described in K.S.A. 75-7c04(b)(1)(D)(ii), and amendments thereto, that

is determined by the attorney general to be substantially equivalent to the course identified in paragraph (a)(1). Internet, online, correspondence, and self-study courses shall not be approved.

(b) To "successfully complete" means to obtain a passing score of 100% on an examination approved by the attorney general and to display proficiency with a handgun by shooting at least 18 hits out of 25 rounds on a designated portion of a target approved by either the Kansas commission on peace officers' standards and training or an equivalent body as determined by the attorney general.

(c) Each applicant shall provide to the sheriff of the county in which the applicant resides the documentation of completion of the handgun safety and training course provided to the applicant by the certified instructor as required by K.A.R. 16-11-3(b).

(d) A retired law enforcement officer as defined in K.S.A. 21-3110, and amendments thereto, shall not be subject to this regulation if the retired law enforcement officer was certified by the Kansas commission on peace officers' standards and training or similar body from another jurisdiction not more than eight years before the retired officer submits the application for licensure. (Authorized by K.S.A. 2009 Supp. 75-7c04, as amended by L. 2010, Ch. 140, §4, and 75-7c16; implementing K.S.A. 2009 Supp. 75-7c04, as amended by L. 2010, Ch. 140, §4, 75-7c05, as amended by L. 2010, Ch. 140, §5, and 75-7c16; effective, T-16-7-5-06, July 5, 2006; effective Nov. 27, 2006; amended Jan. 14, 2011.)

16-11-5. Application procedure. (a) Each applicant for a license to carry a concealed handgun pursuant to the act shall submit to the sheriff of the county in which the applicant resides a completed application in accordance with K.S.A. 75-7c05, and amendments thereto, and these regulations.

(b) Except for military applicants and their dependents, an applicant shall be considered to be a resident of the state only if the applicant possesses either a valid Kansas driver's license or a valid Kansas nondriver's identification card.

(c) Within seven days of receiving an application, each sheriff shall submit the following to the attorney general:

(1) A copy of the applicant's completed application for licensure; and

(2) the application fee established by K.S.A. 75-7c05, and amendments thereto.

(d)(1) Within seven days of receiving an application, each sheriff shall submit one full set of the fingerprints of the applicant as follows:

(A) To the Kansas bureau of investigation (KBI), electronically; or

(B) to the attorney general on an applicant card provided by the federal bureau of investigation (FBI).

(2) Each fingerprint submission, whether submitted electronically or using the applicant card, shall contain the originating agency identifier (ORI) assigned to the office of attorney general by the FBI and shall indicate that the fingerprinting is for concealed carry licensing pursuant to the act.

(e) A state and national criminal history records check shall be promptly completed by the KBI.

(f) The 90-day timeline specified in K.S.A. 75-7c05, and amendments thereto, for issuance or denial of a license shall begin on the date when all of the following items are received by the attorney general:

(1) A completed application;

(2) the cashier's check, personal check, or money order submitted in accordance with K.S.A. 75-7c05(b), and amendments thereto;

(3) a photocopy of the appropriate documentation described in K.S.A. 75-7c05(b), and amendments thereto; and

(4) a full frontal-view photograph of the applicant as described in K.S.A. 75-7c05(b), and amendments thereto.

(g) The document titled "concealed handgun license sheriff's or chief's voluntary report pursuant to personal and family protection act," dated July 1, 2006, is hereby adopted by reference. In accordance with the voluntary report, within 45 days of the date on which a sheriff receives any application from a resident of that county, the sheriff or the chief law enforcement officer of any other law enforcement agency in that county may provide information that, when corroborated through public records and combined with another enumerated factor, establishes that the applicant poses a significantly greater threat to law enforcement or the public at large than the average citizen. (Authorized by K.S.A. 2009 Supp. 75-7c16; implementing K.S.A. 2009 Supp. 75-7c04, as amended by L. 2010, Ch. 140, §4, 75-7c05, as amended by L. 2010, Ch. 140, §5, and 75-7c16; effective, T-16-7-5-06, July 5,

2006; effective Nov. 27, 2006; amended Jan. 14, 2011.)

16-11-6. (Authorized by L. 2006, Ch. 32, §4, as amended by L. 2006, Ch. 210, §2, and L. 2006, Ch. 32, §16; implementing L. 2006, Ch. 32, §4, as amended by L. 2006, Ch. 210, §2; effective, T-16-7-5-06, July 5, 2006; effective Nov. 27, 2006; revoked Jan. 14, 2011.)

16-11-7. Signs. (a) For the purposes of this regulation, the terms "state or municipal building," "state," and "municipal" shall have the meaning specified in K.S.A. 2013 Supp. 75-7c20, and amendments thereto.

(b) No license issued pursuant to or recognized under the personal and family protection act shall authorize the licensee to carry a concealed handgun into any building other than a state or municipal building if the building is conspicuously posted with signs that include the graphic in the document titled "buildings other than state and municipal buildings: signage adopted by the Kansas attorney general," dated June 20, 2013, which is hereby adopted by reference.

(c) No license issued pursuant to or recognized under the personal and family protection act shall authorize the licensee to carry a concealed handgun into any state or municipal building if the governing body or, if no governing body exists, the chief administrative officer for that state or municipal building has performed the following:

(1) Either installed adequate security measures or temporarily exempted the state or municipal building from K.S.A. 2013 Supp. 75-7c20, and amendments thereto; and

(2) conspicuously posted signs that include the graphic and text in any of the following documents, which are hereby adopted by reference:

(A) "State and municipal buildings: signage adopted by the Kansas attorney general," dated June 20, 2013;

(B) "state and municipal buildings: signage adopted by the Kansas attorney general," dated July 10, 2013; or

(C) "state and municipal buildings: signage adopted by the Kansas attorney general," dated September 26, 2013.

The top of the text shall be at least one inch but no more than two inches below the graphic. The text shall be in black letters and shall be no smaller than the text below the graphic in any of the documents adopted in this subsection. The text "State or Municipal Building, 2013 HB 2052 EXEMPT"

or “State or Municipal Building, EXEMPT” shall be printed in boldface.

(d) “Conspicuously posted,” when used to describe any sign specified in this regulation, shall mean that the sign meets the following requirements:

- (1) Has a white background;
 - (2) includes the graphic design that is contained in the documents adopted in this regulation and that meets the following requirements:
 - (A) Depicts the handgun in black ink;
 - (B) depicts the circle with a diagonal slash across the handgun in red ink; and
 - (C) is at least six inches in diameter;
 - (3) contains no text or other markings within the one-inch area surrounding the graphic design;
 - (4) contains no text other than the text specified in the document adopted in paragraph (c)(2);
 - (5) is visible from the exterior of the building and is not obstructed by doors, sliding doorways, displays, or other postings;
 - (6) is posted at the eye level of an adult, which shall mean that the entire sign is between four feet and six feet from the ground;
 - (7) is posted not more than 12 inches to the right or left of each exterior public and nonpublic entrance to the building; and
 - (8) is legible. Each sign that becomes illegible shall be replaced immediately.
- (e) Signs that meet the requirements of subsection (b) or paragraph (c)(2) may be obtained by contacting the office of the attorney general or may be reproduced from the web site of the office of the attorney general. (Authorized by K.S.A. 2013 Supp. 75-7c10; implementing K.S.A. 2013 Supp. 75-7c10 and 75-7c20; effective Nov. 27, 2006; amended Jan. 14, 2011; amended, T-16-6-28-13, July 1, 2013; amended, T-16-7-16-13, July 16, 2013; amended Nov. 8, 2013.)

16-11-8. Restraining order; effect of; procedure. (a) For purposes of this regulation, the terms in this subsection shall be defined as follows:

- (1) “Director” means the director of the concealed carry unit of the attorney general’s office.
- (2) “Restraining order” means a court order that meets all of the following requirements:
 - (A) Is issued by a Kansas district court or a court in another state or jurisdiction that is entitled to full faith and credit in this state;
 - (B) is issued after a hearing at which the li-

censee received actual notice and had an opportunity to participate;

(C) restrains the licensee from harassing, stalking, or threatening an intimate partner or the child of the licensee or intimate partner or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; and

(D)(i) Includes a finding that the licensee represents a credible threat to the physical safety of the intimate partner or child; or

(ii) explicitly prohibits the use, attempted use, or threatened use of physical force against the intimate partner or child that would reasonably be expected to cause bodily injury.

(b) Within 24 hours of a sheriff’s receipt of any restraining order, the sheriff shall determine whether the restraining order has been issued against a person who holds a concealed carry license.

(c) Whenever a sheriff determines that a restraining order has been issued against a person who holds a concealed carry license, the sheriff shall immediately notify the director by faxing or e-mailing the restraining order to the director.

(d) Within eight working hours of the director’s receipt of the restraining order from a sheriff, the following actions shall be taken by the director:

(1) Verification of whether the restraining order meets the requirements of paragraph(a)(2); and

(2) if the director verifies that the restraining order has been issued against a person who holds a concealed carry license, issuance of a written order suspending the concealed carry license of the person named as the subject of the restraining order. The order shall be effective immediately upon issuance.

(e) The order of suspension shall be served by the director on the concealed carry license holder by United States mail at the address on record at the concealed carry unit. In addition, the subject of the restraining order may be notified by telephone or e-mail, or both, by the director that the individual’s concealed carry license has been suspended.

(f) The order of suspension shall include a notice that the concealed carry license holder may, within 10 calendar days of receipt of the written order of suspension, submit a written request for a hearing to the director.

(g) Upon the director’s receipt of a written request for a hearing, a hearing shall be arranged by the director to occur within 30 calendar days.

However, for good cause shown, the hearing may be continued to a later date.

(h) The presiding officer at the hearing shall be the attorney general or a designee of the attorney general.

(i) The licensee shall have the burden of proving that the licensee is not the subject of the restraining order or that the order does not meet the requirements of paragraph (a)(2).

(j) Notification of each license suspension shall be provided electronically to the Kansas department of revenue.

(k) Each concealed carry license that was suspended pursuant to this regulation shall be reinstated by the director upon the director's receipt of a certified copy of a court order that dissolves the restraining order, if the person remains otherwise eligible for the concealed carry license. (Authorized by and implementing K.S.A. 2009 Supp. 75-7c07, as amended by L. 2010, Ch. 140, §7; effective Dec. 29, 2006; amended Jan. 14, 2011.)

Article 12.—BATTERER INTERVENTION PROGRAM REQUIREMENTS AND CERTIFICATION

16-12-1. Scope. The regulations in this article shall provide for the certification of, and shall set the standards for the services and programs required of, certified batterer intervention programs, including the following: (a) Any certified batterer intervention program providing the domestic violence offender assessment pursuant to K.S.A. 12-4509, K.S.A. 21-5414, K.S.A. 21-6604, or K.S.A. 22-2909, and amendments thereto; and

(b) any program operating or providing services as a batterer intervention program, domestic violence or abuse intervention program, or domestic violence educational program for those convicted of a domestic violence-designated offense or as part of a diversion agreement in a complaint alleging a domestic violence offense, as defined in K.S.A. 21-5111 and amendments thereto. (Authorized by L. 2012, ch. 162, sec. 11; implementing L. 2012, ch. 162, secs. 1 and 11; effective, T-16-6-28-12, June 28, 2012; effective, T-16-10-25-12, Oct. 26, 2012; effective Jan. 25, 2013.)

16-12-2. Definitions. Words or phrases used in this article or in the batterer intervention program certification act but not defined in this regulation shall have the same definition as specified in the batterer intervention program certification

act or in K.S.A. 21-5111, and amendments thereto. Each of the following terms, as used in this article, shall have the meaning specified in this regulation: (a) “Batterer” means any person who uses a pattern of abusive and coercive behavior to dominate and control an intimate partner, a former intimate partner, a household member, or a family member.

(b) “Continuing education” means formally organized programs or activities that are designed for and have content intended to enhance the knowledge, skill, values, ethics, and ability to practice as an “agent or employee thereof,” as defined by L. 2012, ch. 162, sec. 13 and amendments thereto.

(c) “Controlled substance” means any drug, substance, or immediate precursor included in any of the schedules designated in K.S.A. 65-4105, 65-4107, 65-4109, 65-4111, and 65-4113, and amendments thereto.

(d) “Remedial or other requirements” means either of the following:

(1) Completion of additional education or training for agents or employees to address the concerns identified by the attorney general; or

(2) changes to the structure of the program to address the concerns identified by the attorney general.

(e) “Supervisee” means an agent or employee of a certified batterer intervention program who receives instruction or direction for the purpose of development of responsibility, skill, knowledge, attitudes, and ethical standards of practice in batterer intervention services from a batterer intervention program director, program supervisor, or program coordinator.

(f) “Unprofessional conduct,” for an agent or employee who is not licensed by the behavioral sciences regulatory board, means any of the following acts:

(1) Obtaining or attempting to obtain a certification or temporary permit by means of fraud, bribery, deceit, misrepresentation, or concealment of a material fact;

(2) failing to notify the attorney general within 10 days, unless the person shows good cause, that any one of the following conditions applies to an agent or employee:

(A) Had a professional license, credential, permit, registration, or certification limited, conditioned, qualified, restricted, suspended, revoked, refused by the proper regulatory authority in Kansas or of another state, territory, or the District of

Columbia. A certified copy of the action taken by the jurisdiction shall be conclusive evidence of this action;

(B) has voluntarily surrendered a professional license, credential, permit, registration, or certification while a complaint or investigation is pending by the proper regulatory authority;

(C) has been demoted, terminated, suspended, reassigned, or asked to resign from employment, or has resigned from employment, for misfeasance, malfeasance, or nonfeasance; or

(D) has been convicted of a felony;

(3) knowingly allowing another individual to use one's permit or certification unlawfully;

(4) impersonating another individual holding a permit or certification;

(5) having been convicted of a crime resulting from or relating to the provision of certified batterer intervention services;

(6) furthering the certification or permit application of another person who is known to be unqualified with respect to character, education, or other relevant eligibility requirements according to K.A.R. 16-12-4;

(7) knowingly aiding or abetting anyone who does not have certification or a permit to represent that individual as a person who does have certification or a permit;

(8) failing or refusing to cooperate in a timely manner with any request from the attorney general for a response or assistance with respect to the attorney general's investigation of any report of an alleged violation of the batterer intervention program certification act or any law filed against any agent or employee or any other applicant. It shall be prima facie evidence of failing or refusing to cooperate within this subsection if a person takes longer than 30 days to provide the requested response, information, or assistance, unless the person shows good cause;

(9) offering to perform or performing services outside the scope of one's training, education, and competency;

(10) treating any offender, victim, or supervisee in a cruel manner, including the intentional infliction of pain or suffering;

(11) discriminating against any offender, victim, or supervisee on the basis of color, race, gender, religion, national origin, age, or disability;

(12) failing to provide each offender with a description of services, consultation, reports, fees, billing, intervention regimen, or schedule, or failing to reasonably comply with these descriptions;

(13) failing to inform each offender or supervisee of any financial interests that might accrue to the provider from referral to any other service or from the use of any tests, books, or apparatus;

(14) failing to inform each offender, victim, and supervisee of the purposes for which information is obtained, the manner in which the information may be used, and the limits of confidentiality regarding the provision of batterer intervention services;

(15) revealing information, a confidence, or secret of any victim, or failing to protect the confidences, secrets, or information contained in a victim's records, except when at least one of the following conditions is met:

(A) Disclosure is required by law;

(B) disclosure is authorized by law because the confidential information shows that the person could seriously harm an individual or the public; or

(C) the provider, or the provider's employee or agent, is a party to a civil, criminal, or disciplinary investigation or action arising from the batterer intervention program practice, in which case disclosure shall be limited to that action;

(16) failing to protect the confidences of, secrets of, or information concerning other persons when providing an offender with access to that offender's records;

(17) engaging in professional activities, including billing practices and advertising, involving dishonesty, fraud, deceit, or misrepresentation;

(18) using alcohol or illegally using any controlled substance while performing duties or services as a batterer intervention provider;

(19) making sexual advances toward, engaging in physical intimacies or sexual activities with, or exercising undue influence over any person who, within the past 24 months, has been a victim or offender receiving batterer intervention services, or a victim or offender's known family members;

(20) exercising undue influence over any victim, offender, or supervisee, including promoting sales of services or goods, in a manner that will exploit the person or persons for the purpose of financial gain, personal gratification, or advantage of oneself or a third party;

(21) directly or indirectly offering or giving to a third party or soliciting, receiving, or agreeing to receive from a third party any fee or other consideration for the referral of the victim or offender;

(22) permitting any person to share in the fees for professional services, other than a partner, em-

ployee, an associate in a professional firm, or a consultant providing batterer intervention services;

(23) soliciting or assuming professional responsibility for offenders served by another batterer intervention program without informing and attempting to coordinate continuity of offender services with that program;

(24) making claims of professional superiority that one cannot substantiate;

(25) guaranteeing that satisfaction or a cure will result from the performance of professional services;

(26) claiming or using any secret or special method of intervention or techniques that one refuses to divulge to the attorney general;

(27) continuing or ordering tests, procedures, interventions, or services not warranted by the condition or best interests of the offender;

(28) failing to maintain for each offender and victim a record that conforms to the following minimal standards:

(A) Contains a unique identifying number or other method for specific identification of the offender and victim;

(B) indicates the offender's initial reason for seeking the provider's services;

(C) contains specific information concerning the offender's condition, including the Kansas attorney general domestic violence offender assessment, affidavits, police reports, and other documents related to criminal activity as allowed by law and available to the provider;

(D) summarizes the intervention, tests, procedures, and services that were obtained, performed, ordered, or recommended and the findings and results of each;

(E) documents the offender's progress during the course of intervention;

(F) contains only those terms and abbreviations that are comprehensible to similar professional practitioners;

(G) indicates the date and nature of any professional service that was provided; and

(H) describes the manner and process by which the professional relationship terminated;

(29) taking credit for work not performed personally, whether by giving inaccurate or misleading information or by failing to disclose accurate or material information;

(30) making or filing a report that one knows to be erroneous, incomplete, or misleading;

(31) failing to retain offender's records for at

least two years after the date of termination of the professional relationship, unless otherwise provided by law;

(32) failing to exercise supervision over any supervisee;

(33) failing to inform an offender if services are provided or delivered under supervision or direction;

(34) engaging in, or attempting to engage in, any relationship in which the objectivity or competency of the provider may become impaired or compromised due to any of the following present, previous, or future relationships with a victim, offender, or supervisee:

(A) Familial;

(B) sexual;

(C) emotional; or

(D) financial; or

(35) using without a temporary permit or certification, or continuing to use after the expiration of a permit or certification, any title or abbreviation prescribed by the attorney general for use only by those with a current temporary permit or certification.

(g) "Unprofessional conduct," for an agent or employee who is licensed by the behavioral sciences regulatory board, means any of the following acts:

(1) Any determination by the behavioral sciences regulatory board of a violation of laws or regulations related to one's licensure. A certified copy of the action taken by the behavioral sciences regulatory board shall be sufficient evidence of this action;

(2) obtaining or attempting to obtain a certification or temporary permit by means of fraud, bribery, deceit, misrepresentation, or concealment of a material fact;

(3) failing to notify the attorney general of any complaint, investigation, or finding regarding the licensee within 10 days, unless the person shows good cause;

(4) failing to notify the attorney general within 10 days, unless the person shows good cause, that any one of the following conditions applies to the licensee:

(A) Has been demoted, terminated, suspended, reassigned, or asked to resign from employment, or has resigned from employment, for misfeasance, malfeasance, or nonfeasance; or

(B) has been convicted of a felony;

(5) knowingly allowing another individual to use one's temporary permit or certification unlawfully;

(6) impersonating another individual holding a temporary permit or certification;

(7) having been convicted of a crime resulting from or relating to the provision of certified batterer intervention program services;

(8) furthering the certification or permit application of another person who is known to be unqualified with respect to character, education, or other relevant eligibility requirements;

(9) knowingly aiding or abetting anyone who does not have certification or a permit to represent that individual as a person who does have certification or a permit;

(10) failing or refusing to cooperate in a timely manner with any request from the attorney general for a response or assistance with respect to the attorney general's investigation of any report of an alleged violation of the batterer intervention program certification act or any law filed against any agent or employee or any other applicant. It shall be prima facie evidence of failing or refusing to cooperate within this subsection if a person takes longer than 30 days to provide the requested response, information, or assistance, unless the person shows good cause or receives an extension by the attorney general;

(11) revealing information, a confidence, or secret of any victim, or failing to protect the confidences, secrets, or information contained in a victim's records, unless one of these conditions is met:

(A) Disclosure is required by law;

(B) disclosure is authorized by law because the confidential information shows that the person could seriously harm an individual or the public; or

(C) the provider, or the agent or employee of the provider, is a party to a civil, criminal, or disciplinary investigation or action arising from the batterer intervention program practice, in which case disclosure shall be limited to that action;

(12) claiming or using any secret or special method of intervention or techniques that one refuses to divulge to the attorney general;

(13) failing to maintain for each offender and victim a record that conforms to the following minimal standards:

(A) Contains a unique identifying number or other method for specific identification of the offender and victim;

(B) indicates the offender's initial reason for seeking the provider's services;

(C) contains specific information concerning

the offender's condition, including the "Kansas attorney general domestic violence offender assessment form," affidavits, police reports, and other documents related to criminal activity as allowed by law and available to the provider;

(D) summarizes the intervention, tests, procedures, and services that were obtained, performed, ordered, or recommended and the findings and results of each;

(E) documents the offender's progress during the course of intervention;

(F) contains only those terms and abbreviations that are comprehensible to similar professional practitioners;

(G) indicates the date and nature of any professional service that was provided; and

(H) describes the manner and process by which the professional relationship terminated; or

(14) using without a temporary permit or certification, or continuing to use after the expiration of a permit or certification, any title or abbreviation prescribed by the attorney general for use only by those with a current permit or certification. (Authorized by L. 2012, ch. 162, secs. 5, 11; implementing L. 2012, ch. 162, secs. 5, 6, 11; effective, T-16-6-28-12, June 28, 2012; effective, T-16-10-25-12, Oct. 26, 2012; effective Jan. 25, 2013.)

16-12-3. Training and continuing education. Each holder of a temporary permit or certificate shall submit proof of training and continuing education hours to the attorney general for approval. (a) Each batterer intervention program agent or employee thereof shall meet the following requirements:

(1) Complete the training as required in "the essential elements and standards of batterer intervention programs in Kansas," which is adopted in K.A.R. 16-12-4; and

(2) complete 12 hours of documented and approved continuing education as required in "the essential elements and standards of batterer intervention programs in Kansas," during each two-year certification period. Continuing education hours accumulated in excess of the requirement shall not be carried over to the next renewal period.

(b) One hour of training or continuing education credit shall consist of at least 50 minutes of classroom instruction or at least one clock-hour of other types of acceptable training or continuing education experiences listed in subsection (c).

One-half hour of training or continuing education credit may be granted for each 30 minutes of acceptable training or continuing education. Credit shall not be granted for less than 30 minutes.

(c) Acceptable training and continuing education, subject to approval, whether taken within the state or outside the state, shall include the following:

(1) An academic course at an institution that is nationally or regionally accredited for education or training, if the content is clearly related to the enhancement of a batterer intervention program agent's or employee's practice, values, ethics, skills, or knowledge and the course is taken for academic credit. Each agent or employee shall be granted 15 training or continuing education hours for each academic credit hour that is successfully completed. The maximum number of allowable training or continuing education hours shall be 15;

(2) an academic course at an institution that is nationally or regionally accredited for education or training, if the content is clearly related to the enhancement of a batterer intervention program agent's or employee's practice, values, ethics, skills, or knowledge and the course is audited. Each agent or employee shall receive training or continuing education credit on the basis of the actual contact time that the agent or employee spends attending the course, up to a maximum of 15 hours per academic credit hour. The maximum number of allowable training or continuing education hours shall be 15;

(3) a seminar, institute, conference, workshop, or nonacademic course oriented to the enhancement of a batterer intervention program agent's or employee's practice, values, ethics, skills, or knowledge; and

(4) an activity oriented to the enhancement of a batterer intervention program agent's or employee's practice, values, ethics, skills, or knowledge, consisting of completing a computerized interactive learning module, viewing a telecast or videotape, listening to an audiotape, or reading, if a posttest is successfully completed. The maximum number of allowable training or continuing education hours shall be 15.

(d) Approval of training or continuing education credit shall not be granted for the second or any subsequent identical program if the programs are completed within the same renewal period.

(e) Training or continuing education credit shall not be granted for the following:

(1) In-service training, if the training is for job

orientation or job training or is specific to the employing agency; and

(2) any activity for which the agent or employee cannot demonstrate that the program's goals and objectives are to enhance the practice, values, ethics, skills, or knowledge in batterer intervention.

(f) Each agent or employee shall maintain individual, original training or continuing education records for at least two years. These records shall document the agent's or employee's attendance at, participation in, or completion of each training or continuing education activity.

(g) Each of the following forms of documentation may be submitted as proof that an agent or employee has completed that training or continuing education activity:

(1) An official transcript or other document indicating the agent's or employee's passing grade for an academic course taken at an institution that is nationally or regionally accredited;

(2) a statement signed by the instructor of an academic course indicating the number of actual contact hours that the agent or employee attended for an audited academic course from an institution that is nationally or regionally accredited;

(3) a signed statement from the provider of a seminar, institute, conference, workshop, or course indicating that the agent or employee attended the training or continuing education program; and

(4) for each videotape, audiotape, computerized interactive learning module, or telecast that the agent or employee utilized for training or continuing education purposes, a written statement from the agent or employee specifying the media format, content title, presenter or sponsor, content description, length, activity date, and copy of the agent's or employee's completed posttest or score. (Authorized by and implementing L. 2012, ch. 162, secs. 5, 11; effective, T-16-6-28-12, June 28, 2012; effective, T-16-10-25-12, Oct. 26, 2012; effective Jan. 25, 2013.)

16-12-4. Program requirements. Each holder of a temporary permit, initial certification, renewal certification, or certification reinstatement shall perform the following: (a) Adopt and follow the standards, elements, and other program requirements described in the document titled "the essential elements and standards of batterer intervention programs in Kansas," dated December 17, 2012, by the Kansas attorney general's of-

fice, which is hereby adopted by reference except for the acknowledgements, table of contents, philosophy and purpose, and theoretical overview of batterer intervention programs; and

(b) submit the attorney general's document titled "certified batterer intervention program statistical report" with the required information. This document, dated June 13, 2012, is hereby adopted by reference. The "certified batterer intervention program statistical report" shall be completed and submitted to the attorney general on or before January 5 and July 5 in each year of certification or the first business day following these deadlines if the deadlines fall on a weekend or state or federal holiday. (Authorized by and implementing L. 2012, ch. 162, secs. 5, 11; effective, T-16-6-28-12, June 28, 2012; effective, T-16-10-25-12, Oct. 26, 2012; effective Jan. 25, 2013.)

16-12-5. Domestic violence offender assessment. (a) The document titled "Kansas attorney general domestic violence offender assessment form," dated March 3, 2011, by the Kansas attorney general is hereby adopted by reference. This document is also known as "KDVOA."

(b) Except as specified in subsection (c), the KDVOA shall be completed by one of the following: an individual who is licensed to practice in Kansas as a psychologist, baccalaureate social worker, master social worker, specialist clinical social worker, marriage and family therapist, addiction counselor, clinical addiction counselor, clinical marriage and family therapist, professional counselor, clinical professional counselor, master's level psychologist, or clinical psychotherapist.

(c) Any person who is not licensed as provided in subsection (b) and who is completing the KDVOA as an employee of or volunteer for a batterer intervention program before January 1, 2013 may continue to complete these assessments on and after January 1, 2013 if the person remains an employee of or volunteer for the same program and the program remains a certified batterer intervention program. Whenever the person is no longer an employee of or volunteer for the program in which the person was employed or volunteering before January 1, 2013, the person shall not be allowed to complete the KDVOA for any certified batterer intervention program without meeting the license requirements in subsection (b). (Authorized by K.S.A. 2011 Supp. 75-755 and L. 2012, ch. 162, sec. 11; implementing K.S.A. 2011 Supp. 21-6604, as amended by L. 2012, ch.

162, sec. 16, and L. 2012, ch. 162, secs. 1, 5; effective, T-16-6-28-12, June 28, 2012; effective, T-16-10-25-12, Oct. 26, 2012; effective Jan. 25, 2013.)

16-12-6. Temporary permit; application. Each applicant seeking a temporary permit shall submit an application, on a form provided by the attorney general, to the attorney general. The completed application for a temporary permit shall include the following: (a) The applicant's full name and residential address;

(b) the name under which the applicant intends to do business and the business address;

(c) a statement of the general nature of the business in which the applicant intends to engage;

(d) a statement of the education and work experience of the applicant and any agent or employee thereof;

(e) a statement that the applicant has met any other qualifications specified in "the essential elements and standards of batterer intervention programs in Kansas," which is adopted in K.A.R. 16-12-4;

(f) payment of the temporary permit application fee of \$50.00; and

(g) any other information, evidence, statements, or documents necessary to determine the qualifications of an applicant for temporary permit, including the following:

(1) A copy of completed certificates documenting domestic violence-specific training hours for each agent or employee thereof;

(2) proof of current licensure for each agent or employee required to be licensed by the behavioral sciences regulatory board; and

(3) a copy of the core curriculum to be used in batterer intervention services. (Authorized by L. 2012, ch. 162, sec. 11; implementing L. 2012, ch. 162, secs. 2, 4; effective, T-16-6-28-12, June 28, 2012; effective, T-16-10-25-12, Oct. 26, 2012; effective Jan. 25, 2013.)

16-12-7. Initial certification; application. Each applicant seeking initial certification shall submit an application, on a form provided by the attorney general, to the attorney general. The completed application for initial certification shall include the following: (a) The applicant's full name and residential address;

(b) the name under which the applicant intends to do business and the business address;

(c) a statement of the general nature of the business in which the applicant intends to engage;

(d) a statement of the education and work experience of the applicant and any agent or employee thereof;

(e) a statement that the applicant has met any other qualifications specified in “the essential elements and standards of batterer intervention programs in Kansas,” which is adopted in K.A.R. 16-12-4;

(f) payment of the initial application fee of \$100.00; and

(g) any other information, evidence, statements, or documents necessary to determine the qualifications of an applicant for initial certification, including the following:

(1) A copy of completed certificates documenting training hours as required by “the essential elements and standards of batterer intervention programs in Kansas” for each agent or employee thereof;

(2) proof of current licensure for each agent or employee required to be licensed by the behavioral sciences regulatory board;

(3) a copy of the core curriculum to be used in batterer intervention services;

(4) demonstration by the applicant of attempts to establish a cooperative relationship with key agencies, as described in “the essential elements and standards of batterer intervention programs in Kansas,” which is adopted in K.A.R. 16-12-4; and

(5) a copy of release of information and offender agreement forms. (Authorized by L. 2012, ch. 162, sec. 11; implementing L. 2012, ch. 162, secs. 2, 4; effective, T-16-6-28-12, June 28, 2012; effective, T-16-10-25-12, Oct. 26, 2012; effective Jan. 25, 2013.)

16-12-8. Renewal certification; application. Each applicant seeking renewal certification shall submit an application, on a form provided by the attorney general, to the attorney general. The completed application for renewal certification shall include the following: (a) The applicant’s full name and residential address;

(b) the name under which the applicant intends to do business and the business address;

(c) a statement of the general nature of the business in which the applicant intends to engage;

(d) a statement of the educational and work experience of the applicant and any agent or employee thereof;

(e) a statement that the applicant has met any other qualifications described in “the essential el-

ements and standards of batterer intervention programs in Kansas,” which is adopted in K.A.R. 16-12-4;

(f) payment of the renewal application fee of \$100.00; and

(g) any other information, evidence, statements, or documents necessary to determine the qualifications of an applicant for renewal certification that are required by the attorney general, including the following:

(1) A copy of completed certificates documenting continuing education hours as required by “the essential elements and standards of batterer intervention programs in Kansas” for each agent or employee thereof;

(2) a copy of completed certificates documenting training hours as required in “the essential elements and standards of batterer intervention programs in Kansas” for any new agent or employee not included in a previous application for certification;

(3) proof of current licensure for each agent or employee required to be licensed by the behavioral sciences regulatory board; and

(4) demonstration by the applicant of attempts to establish a cooperative relationship with key agencies, as described in “the essential elements and standards of batterer intervention programs in Kansas,” which is adopted in K.A.R. 16-12-4. (Authorized by L. 2012, ch. 162, sec. 11; implementing L. 2012, ch. 162, secs. 2, 4; effective, T-16-6-28-12, June 28, 2012; effective, T-16-10-25-12, Oct. 26, 2012; effective Jan. 25, 2013.)

16-12-9. Certification reinstatement; application. Each applicant seeking certification reinstatement shall submit an application, on a form provided by the attorney general, to the attorney general. The completed application for certification reinstatement shall include the following: (a) The applicant’s full name and residential address;

(b) the name under which the applicant intends to do business and the business address;

(c) a statement of the general nature of the business in which the applicant intends to engage;

(d) a statement of the education and work experience of the applicant and any agent or employee thereof;

(e) a statement that the applicant has met any other qualifications described in “the essential elements and standards of batterer intervention

programs in Kansas,” which is adopted in K.A.R. 16-12-4;

(f) payment of the reinstatement application fee of \$100.00;

(g) a statement regarding the reason requiring reinstatement of certification; and

(h) any other information, evidence, statements, or documents necessary to determine the qualifications of an applicant for reinstatement, including the following:

(1) A copy of completed certificates documenting continuing education hours as required by “the essential elements and standards of batterer intervention programs in Kansas” for each agent or employee thereof;

(2) a copy of completed certificates documenting training hours as required in “the essential elements and standards of batterer intervention programs in Kansas” for any new agent or employee not included in a previous application for certification;

(3) proof of current licensure for each agent or employee required to be licensed by the behavioral sciences regulatory board; and

(4) demonstration by the applicant of attempts to establish a cooperative relationship with key agencies, as described in “the essential elements and standards of batterer intervention programs in Kansas,” which is adopted in K.A.R. 16-12-4. (Authorized by L. 2012, ch. 162, sec. 11; implementing L. 2012, ch. 162, secs. 2, 4; effective, T-

16-6-28-12, June 28, 2012; effective, T-16-10-25-12, Oct. 26, 2012; effective Jan. 25, 2013.)

16-12-10. Evaluating and monitoring certified batterer intervention programs. For the purposes of evaluating and monitoring certified batterer intervention programs, the applicant, holder of a temporary permit, or holder of a certificate shall give the attorney general access to the following:

(a) The applicant’s or holder’s program;

(b) observation of groups or assessment services;

(c) offender and victim files, records, or documents related to the provision of batterer intervention services;

(d) contact information of community members or third parties who could provide information related to services provided in the capacity of a batterer intervention program;

(e) offenders who are receiving or have received services from the program;

(f) contact information for victims or family members, with their written permission, associated with the offenders who are receiving or have received services from the batterer intervention program; and

(g) any other information identified as necessary in evaluating and monitoring the program. (Authorized by L. 2012, ch. 162, sec. 11; implementing L. 2012, ch. 162, secs. 8, 11; effective, T-16-6-28-12, June 28, 2012; effective, T-16-10-25-12, Oct. 26, 2012; effective Jan. 25, 2013.)